**THE HONOURABLE SRI JUSTICE V. ESWARAIAH**

**WRIT PETITION No.23240 OF 2006**

**DATED: 12-02-2007**

**BETWEEN**

Sirasapalli Appa Rao,
S/o. Late Appala Naidu,
R/o. Chinagantyada Village,
Gajuwaka, Visakhapatnam.

...PETITIONER

**AND**

The Commissioner of Police,
Visakhapatnam City, Visakhapatnam
and others.

...RESPOPNDENTS

**ORDER:**

Petitioner submits that there is a dispute with regard to the boundaries in respect of the land admeasuring Ac.1.55 cents situated in S.No.82/4, Patta No.340 of Chinagantyada Village, Gajuwaka Mandal, Visakhapatnam between him and the fifth respondent. In that regard he filed an application before the Mandal Revenue Officer, Gajuwaka, requesting to arrange for survey of land for fixation of boundaries but due to the interference of the fifth respondent the land could not be surveyed. He further submits that he submitted a representation dated 26.05.2006 to the first respondent – The Commissioner of Police, Visakhapatnam City, requesting to provide police aid for getting the survey conducted and a copy of the said representation was also communicated to the second respondent,

who in turn forwarded the same to respondents 3 and 4.

The grievance of the petitioner is that though the said

representation was forwarded to respondents 3 and 4, they have not provided necessary police protection for getting the survey of the land.

2. Counter has been filed by the fourth respondent stating that the GPA holder of the petitioner one Mr. Dindi Veerabhadra Rao made a representation to the MRO dated 13.10.2006 requesting him to provide police protection for fixing the boundaries in respect of the land in question and accordingly the MRO vide his letter dated 20.10.2006 requested the fourth respondent to provide police escort while survey work is taken up in the said lands and that the date of demarcation in the said lands will be intimated in due course. As per the said directions of the MRO the police protection was given to Mandal Surveyor for conducting the survey by deputing PC 1947
Sri Devadanam and PC 525 Sri Rajesh Raju on 29.10.2006. Thus, all the allegations of the petitioner have been denied.

3. Learned counsel for the petitioner submits that the police constables were not at all deputed and survey had not been conducted.

4. Having regard to the facts and circumstances, the petitioner is permitted to make a representation before the fourth respondent specifying the date on which the survey is fixed by the concerned Surveyor for fixation of the boundaries and for police protection;
on such representation the fourth respondent shall provide necessary police protection.

The writ petition is accordingly disposed of. There shall be no order as to costs.

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V. ESWARAIAH, J

February 12, 2007
DSK